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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,771	01/09/2002	Stuart Hall	10020244-1	6940

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
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EXAMINER

SUN, XIUQIN

ART UNIT PAPER NUMBER

2863

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,771

Applicant(s)

HALL, STUART

Examiner

Xiuqin Sun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (U.S. Pat. No. 5953009) in view of Kauffert et al. (U.S. Pat. No. 5831598).

Alexander et al. teach an apparatus comprising: a measurement device for receiving one or more input signals and generating measurement information related to said input signals (Abstract; Figs. 1 and 2; col. 7, lines 3-23, lines 58-67 and col. 8, lines 1-45); a display coupled with the measurement device for displaying the measurement information (Abstract; Figs. 3A-3H; col. 8, lines 9-21 and col. 9, lines 49-68 and col. 10, lines 1-3); a control panel having a plurality of keys each coupled with the measurement device for controlling a respective operation of the measurement device (Abstract; Fig. 1; col. 1, lines 66-67 and col. 2, lines 1-22). Alexander et al. further teach the receiving, generating and displaying steps recited in claim 3 of the current application (Abstract; Figs. 1, 2, 3A-3H; col. 7, lines 3-23, lines 58-67; col. 8, lines 9-21 and col. 9, lines 49-68 and col. 10, lines 1-3).

Alexander et al. do not disclose: a timer coupled with a control panel for sensing duration of key activation during which a user activates a key of the plurality of keys of the control panel; and a controller coupled with the control panel and the timer for initiating the respective operation of the measurement device in response to each key activation, when the duration of key activation is less than a predetermined amount of time; wherein the controller is coupled with the display for displaying help screen information in context of the respective operation of the measurement device in response to each key activation, when the duration of key activation is greater than the predetermined amount of time.

Kauffert et al. teach a method of facilitating the operation of terminals equipped with function keys, including: a timer coupled with a control panel for sensing duration of key activation during which a user activates a key of the plurality of keys of the control panel; and a controller coupled with the control panel and the timer for initiating the respective operation of the terminals in response to each key activation, when the duration of key activation is less than a predetermined amount of time; wherein the controller is coupled with a display for displaying help screen information in context of the respective operation of the terminals in response to each key activation, when the duration of key activation is greater than the predetermined amount of time (col. 1, lines 24-30, lines 50-54, lines 60-61, lines 65-67; col. 2, lines 1-11, lines 37-40, lines 55-59; cols. 3-4, lines 20-12; col. 5, lines 7-11 and col. 6, lines 45-52). Kauffert et al. also teach the steps of: controlling a respective operation of the terminals using a control panel having a plurality of keys each coupled with the terminals; sensing duration of key

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activation during which a user activates a key of the plurality of the keys of the control panel when the duration of key activation is less than a predetermined amount of time; and displaying help screen information in context of the respective operation of the terminals in response to each key activation, when the duration of key activation is greater than the predetermined amount of time. The teaching of Kauffert et al. further includes: said controller is adapted for causing the display to cease displaying the help screen information when the user deactivates the key (col. 2, lines 55-61).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teaching of Kauffert et al. in the invention of Alexander et al. in order to facilitate the operation of the measurement device in which fewer keystrokes are required and which results in an optimized operating sequence (Kauffert et al., Abstract and col. 1, lines 50-54).

As per claim 5, Alexander et al. teach: a measurement device for receiving one or more input signals and generating measurement information related to said input signals (Abstract; Figs. 1 and 2; col. 7, lines 3-23, lines 58-67 and col. 8, lines 1-45); a display coupled with the measurement device for displaying the measurement information (Abstract; Figs. 3A-3H; col. 8, lines 9-21 and col. 9, lines 49-68 and col. 10, lines 1-3); a control panel having a plurality of keys each coupled with the measurement device for controlling a respective operation of the measurement device (Abstract; Fig. 1; col. 1, lines 66-67; and col. 2, lines 1-22).

Alexander et al. do not disclose: a controller coupled with the control panel and including a timer function for sensing duration of key activation during which a user

activates a key of the plurality of keys of the control panel; wherein the controller initiates the respective operation of the measurement device in response to each key activation, when the duration of key activation is less than a predetermined amount of time; wherein the controller is coupled with the display for displaying help screen information in context of the respective operation of the measurement device in response to each key activation, when the duration of key activation is greater than the predetermined amount of time.

The teaching of Kauffert et al. includes: a controller coupled with a control panel and including a timer function for sensing duration of key activation during which a user activates a key of the plurality of keys of the control panel; wherein the controller initiates the respective operation of the terminals in response to each key activation, when the duration of key activation is less than a predetermined amount of time; wherein the controller is coupled with the display for displaying help screen information in context of the respective operation of the terminals in response to each key activation, when the duration of key activation is greater than the predetermined amount of time (col. 1, lines 24-30, lines 50-54, lines 60-61, lines 65-67; col. 2, lines 1-11, lines 37-40, lines 55-59; cols. 3-4, lines 20-12; col. 5, lines 7-11 and col. 6, lines 45-52).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teaching of Kauffert et al. in the invention of Alexander et al. in order to facilitate the operation of the measurement device in which fewer keystrokes are required and which results in an optimized operating sequence (Kauffert et al., Abstract and col. 1, lines 50-54).

Response to Arguments

3. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Claims 1-5 are rejected as new art (U.S. Pat. No. 5831598 to Kauffert et al.) has been found to teach the elements that the Examiner has stated are not taught by the Alexander reference. For detailed discussion, please refer to section 2 set forth above in this Office Action.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiuqin Sun whose telephone number is (571)272-2280. The examiner can normally be reached on 6:30am-4:00pm.

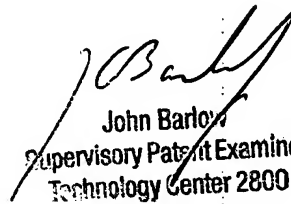
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571)272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Xiuqin Sun
Examiner
Art Unit 2863

XS

March 16, 2004


John Barlow
Supervisory Patent Examiner
Technology Center 2800